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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/039,999  
Filing Date: October 24, 2001  
Appellant(s): GAUGER, DEREK K.

William M. Hanlon, Jr. (Reg. No. 28,422)  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 02 February 2002 appealing from the Office action mailed 03 August 2009.

**(1) Real Party in Interest**

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The following is a list of claims that are rejected and pending in the application:  
1 – 6, 9, 34, 41 and 52 – 59

**(4) Status of Amendments After Final**

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

**(5) Summary of Claimed Subject Matter**

The examiner has no comment on the summary of claimed subject matter contained in the brief.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

**(7) Claims Appendix**

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

**(8) Evidence Relied Upon**

5,765,140	KNUDSON et al.	06-1998
7,213,030	JENKINS et al.	05-2007
6,507,845	COHEN et al.	01-2003

## **(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

**Claims 1 - 6, 9, 34, 41 and 52 - 59 are not patentable under 35 U.S.C. 103(a)  
over Knudson et al. US Patent 5,765,140 in view of Jenkins US Patent 7,213,030.**

Regarding claim 1, Knudson teaches computer implemented<sup>9</sup> system and method for managing at least one project [Knudson, Fig. 1 2 and disclosure associated with the figures]. Knudson teaches capability for:

establishing a plurality of information modules in an interactive computer software system [Knudson, Fig. 4 and disclosure associated with the figure];  
activating at least two or more information modules of different types for the at least one project [Knudson, Fig. 4 and disclosure associated with the figure];  
facilitating organization of and access to project information. Even though, Knudson does not explicitly recite what specific type of information is controlled and displayed, however, Knudson teaches concept of storing, displaying and controlling of information [Knudson, col. 5, lines 15 – 31, Fig. 4 and disclosure associated with the figure]. **One of ordinary skill in the art could have modified Knudson to add**

**additional categories as desired to meet business requirements, apply a known technique to a known device (method, or product) ready for improvement to yield predictable results.**

Knudson teaches capability for:

facilitating organization of and access to project information as each information module is operative to store, display and control information of a specific type including categories of project planning, project tasks, project issues, project progress reports, project finances, project meetings, requests for information, project documents, collaboration center, and review requests [Knudson, col. 5, lines 15 – 31, line 59 – col. 6, line 3];

Knudson does not explicitly recited providing of project documents to be stored. However, Knudson teaches providing and storing of project plans, providing feedback to project plans [Knudson, Fig. 3 and disclosure associated with the Figure]. Jenkins teaches web enabled transaction and collaboration management system and method with the capability of providing project documents to be stored and displayed [Jenkins, Fig. 45 – 52 and disclosure associated with the Figures]

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Knudson by adopting teachings of Jenkins to have the documents associated with a project available to authorized users associated with the task, apply a known technique to a known device (method, or product) ready for improvement to yield predictable results, known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design

incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art.

Knudson in view of Jenkins teaches capability for:

providing project documents to be stored, and displayed in and accessed from both the document module and other information modules [Jenkins, Fig. 45 – 52 and disclosure associated with the Figures];

defining authorized individuals who have access to the interactive computer system providing electronic data interchange for a project [Knudson, Fig. 4 and disclosure associated with the Figure];

creating an electronic collaboration center as one of the information modules on the computer software system for the time disjointed electronic interaction of authorized individuals on the project in an individual collaboration [Knudson Fig. 4 and disclosure associated with the Figure, Jenkins];

defining collaboration approved individuals for access to collaborations in the collaboration center by the authorized individuals [Knudson Fig. 4 and disclosure associated with the Figure, Jenkins];

defining at least one collaboration in the collaboration center associated with the at least one project to facilitate the resolution of at least one of a project issue and project problem the at least one collaboration including a collaboration leader, a collaboration topic, a collaboration status and at least one of a text based collaboration summary, and a text based collaboration status statement [Knudson Fig. 4 and disclosure associated with the Figure];

defining access to the collaboration by the collaboration approved individuals [Knudson, Jenkins];

the collaboration containing and allowing access to all information relating to the collaboration as a central point of collaboration information [Knudson, Jenkins, Fig. 2a-2c and disclosure associated with the Figure];

allowing the collaboration leader to modify at least one of the collaboration summary, the collaboration status and the collaboration status statement [Knudson Fig. 4 and disclosure associated with the Figure, Jenkins, Fig. 2a-2c and disclosure associated with the Figure];

accepting input information at the collaboration center from the authorized individuals to facilitate resolution of at least one project issue and a project problem of the collaboration [Knudson, Jenkins, Fig. 2a-2c and disclosure associated with the Figure];

providing the collaboration center and individual collaborations within the collaboration center with the capability of receiving documents and updating a document information module with the documents [Jenkins, Fig. 2a-2c and disclosure associated with the Figure];

providing the collaboration center and individual collaborations with the capability of defining tasks as an action plan for resolution of one of the project issue and project problem and updating the project tasks information module with the defined tasks in the individual collaboration [Knudson, Fig. 4 and disclosure associated with the Figure Jenkins, Fig. 2a-2c and disclosure associated with the Figure]; and,

providing the collaboration center and individual collaborations with the capability of closing the collaboration to an archived state [Knudson, Jenkins, Fig. 2a-2c and disclosure associated with the Figure].

Regarding claim 2, Knudson in view of Jenkins teaches capability for allowing all authorized individuals to perform at least one of review, submit, author, and change data and to interact with other authorized individuals electronically in the collaboration center.

Regarding claim 3, notifying all authorized individuals of a change in at least one of the collaboration purpose, the deadline, the collaboration action plan, and input information [Jenkins, and email is automatically generated to the users designated as responsible and discussion parties for the item notifying them of the critical date].

Regarding claim 4, Knudson in view of Jenkins teaches capability for: forwarding one of a question and an issue involving at least one element of the collaboration to be decided by all collaboration approved individuals;

Knudson in view of Jenkins does not explicitly recite accepting votes for an issue, however, **it is old and known that in business meetings, team leaders like Project Manager solicits votes from authorized team members to make an educated decision, gauge popularity of a motion, etc.**

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Knudson in view of Jenkins and solicit votes from authorized team members to make an educated decision, gauge popularity of a motion, etc.

Knudson in view of Jenkins teaches capability for:

accepting votes of collaboration approved individuals for the issue on at least one element of the collaboration;

making a decision by the collaboration leader on the issue based in part on the votes; and

displaying the results of the vote.

Regarding claim 5, Knudson in view of Jenkins teaches capability for maintaining and displaying at least one of the collaboration summary, the collaboration status, and the collaboration status statement of each collaboration.

Regarding claim 6, Knudson in view of Jenkins teaches capability for providing the collaboration center with the capability of receiving documents attached to authorized individual responses [Knudson, col. 21, lines 49 – 50]. Also, **attaching file as an attachment to a response is old and known technology known to one of ordinary skill in the art at the time of invention.**

Regarding claim 9, Knudson in view of Jenkins [Knudson, col. 21, lines 14 – 67] teaches capability for:

using bi-directional electronic mail interaction between authorized individuals and the information modules;

generating and sending an electronic mail request to an authorized individual; the authorized individual replying to the software system by electronic mail; and the information modules automatically documenting the reply and any documents attached to the reply in the appropriate information module by updating the information in the appropriate information module.

Regarding claim 34, Knudson in view of Jenkins [Knudson, col. 21, lines 14 – 67] teaches capability for:

using bi-directional electronic mail interaction between authorized individuals and the information modules;

generating and sending an electronic mail request to an authorized individual;

providing an electronic mail response capability for at least certain of the requests and notifications issued in any of the information modules allowing an authorized user to respond to the request and notification by direct electronic mail reply;

the authorized individual replying to the software system by electronic mail; and the information modules automatically documenting the reply and any documents attached to the reply in the appropriate information module by updating the information in the appropriate information module.

Regarding claim 41, even though, Knudson in view of Jenkins does not explicitly teach providing electronic notepad, however, **it is old and known to one of ordinary skill in the art at the time of invention, that electronic notepads can be provided to a user to enable the user to make comments to specific part of the document. For example, Microsoft Office provides electronic notepad capability for the users to document their comments in any area of the page of the document.**

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Knudson in view of Jenkins by providing electronic notepad to enable the users to make their comments within the document, apply a known technique to a known device (method, or product) ready for improvement to yield predictable results, known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art.

Knudson in view of Jenkins teaches capability for:  
providing an electronic notepad for each authorized individual to make personal notes about any item of information in the network relating to the project; and  
attaching the personal notes to associated items of information for use only by the authorized individual.

Regarding claim 52, Knudson in view of Jenkins teaches capability for:

linking at least two information items in at least two different information modules for bi-directional data navigation between the at least two information items; and providing a link to each of the information items allowing the authorized individual to directly navigate to the linked information item in another information module.

Regarding claim 53, Knudson in view of Jenkins teaches capability for:  
defining by a project leader a plurality of organizational categories;  
specifying the name of one authorized individual as the request recipient for each defined organization category for the purpose of defining individuals to which project requests for information relating to the respective organizational category will be routed;  
and

routing a request for information relating to at least one organizational category from at least one authorized individual to the first request recipient for the organizational category

Regarding claim 54, Knudson in view of Jenkins teaches capability for:  
issuing a request for project review by an authorized project individual;  
designating a plurality of designated recipients of the review request by an authorized individual (**sending email to plurality of team members**);  
providing for a reply from the plurality of designated review requests by one in parallel from each designated review recipient (**each recipient replies independently**)

and in series from all of the designated review recipients (**old and known that in chain of approval, reviewed and responded to in series**);

providing for the delivery of the review request to the designated recipients in one of:

directly in parallel providing each of the designated recipients with the capability of one of replying to the review request directly, delegating the review request to a designated delegate with the capability for the designated delegate to respond directly to a requestor of the request for review, and delegating the request for review to a designated recipient with the designated recipient's response routed to the designated recipient for review prior to delivery to the requestor;

and to a designated first recipient directly;

providing the first designated recipient of one of replying to the review request for direct delivery, delegating the request for review to a designated delegate with the capability for the designated delegate to respond directly to a requestor of the request for review delegating the request for review to a designated recipient with the designated recipient's response routed to the first designated recipient for review prior to the requestor; and

serially delegating the review request to a next designated recipient having the same reply and delegating options to deliver a reply to requestor.

Regarding claim 55, Knudson in view of Jenkins teaches capability for defining at least one of collaboration purpose, a collaboration action plan and deadline for the collaboration.

Regarding claim 56, Knudson in view of Jenkins teaches capability wherein the linked information modules can be at least two of an information module project plan, an information module task manager, an information module issue manager and an information module collaboration center.

Regarding claim 57, Knudson in view of Jenkins teaches capability for:  
providing a project plan having a plurality of items;  
linking each item to a set of tasks;  
linking any item and task to an issue describing a problem and a call for action;  
and  
linking all of the information and actions associated with the issue to the tasks and the project plan item.

Regarding claim 58, Knudson in view of Jenkins teaches capability for linking all of the information and actions associated with the issue to the collaboration.

Regarding claim 59, Knudson in view of Jenkins teaches capability for providing a summary view of the information related to the collaboration.

**Claim 41 is rejected under 35 U.S.C. 103(a) are not patentable over  
Knudson et al. US Patent 5,765,140 in view of Jenkins US Patent 7,213,030 and  
Cohen et al. US Patent 6,507,845**

Regarding claim 41, Knudson in view of Jenkins does not explicitly teach providing electronic notepad, however, Cohen teaches system and method for providing electronic notepad [Cohen, Fig. 9 and disclosure associated with the figure].

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Knudson in view of Jenkins by adopting teachings of Cohen and provide electronic notepad to enable the users to make their comments within the document, apply a known technique to a known device (method, or product) ready for improvement to yield predictable results, known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art.

Knudson in view of Jenkins and Cohen teaches capability for:  
providing an electronic notepad for each authorized individual to make personal notes about any item of information in the network relating to the project; and  
attaching the personal notes to associated items of information for use only by the authorized individual.

**(10) Response to Argument**

In response to appellant's argument that cited references do not teach capability and concept for collaboration center as a subset of a overall project.

However, appellant is arguing a limitation not positively claimed by the appellant as their claimed invention. Cited reference Knudson teaches capability and concept for a project manager (collaboration leader) with the capability for creating plurality of projects [Knudson, col. 5, lines 59-60].

In response to appellant's argument that cited references do not teach capability and concept for time disjointed electronic interaction.

However, cited reference Knudson teaches capability and concept for plurality of projects which can be worked upon individually by team members associated with each of the plurality of projects. Also, as currently claimed in claim 1, limitation 4, it is the intent of the appellant to use the invention as a time disjoint interaction.

In response to appellant's argument that cited references do not teach capability and concept for summarized view of the pertinent information and status surrounding the collaboration.

However, cited reference Knudson teaches capability and concept for providing plurality of reports for project managers [Knudson, col. 7, line 32 – 35].

In response to appellant's argument that cited references do not teach capability and concept for sub-team within an overall project team who have access to and participate in the collaboration.

However, appellant is arguing a limitation not positively claimed by the appellant. Cited reference Knudson teaches capability and concept for a project manager to create plurality of projects with associate team members for the project.

#### **(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Naresh Vig/  
Primary Examiner, Art Unit 3629

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